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DEPARTMENT OF THE ARMY

U.S. ARMY CRIMINAL INVESTIGATION COMMAND

Fort McCoy CID Office

3d Military Police Group, USACIDC, 1681 West Eaton Road, Fort McCoy, WI 54656-5124

19 Jun 2014

MEMORANDUM FOR: SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION - FINAL/SSI - 0120-2013-CID065-32095 -
5C1K / 5Y2B0 / 5Y2G4 / 9J

DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 23 JUL 2007, 0920 - 23 JUL 2007, 0945; UNKNOWN LOCATION, VILLAGE
OF BARGHANTU, AFGHANISTAN

DATE/TIME REPORTED: 10 OCT 2013, 1440

INVESTIGATED BY:

SA (b)(6) (b)(7)(C), (b) (7)(E)
SA

SUBJECT:

1. (b)(6) (b)(7)(C) 1LT; (XXX (b)(6) (b)(7)(C) (DOB); (POB); MALE;
WHITE; 3RD PLATOON BRAVO, 1-4 INFANTRY REGIMENT, APO, ARMED FORCES
AFRICA, CANADA, EUROPE & MIDDLE EAST 09114; E1 ; [WAR CRIMES
(UNFOUNDED)], [FAIL TO OBEY GENERAL ORDER], [CONDUCT UNBECOMING
OFFICER], [AGGRAVATED ASSAULT]

VICTIM:

1. UNKNOWN-2598363-0120-2013-CID065-I ; [WAR CRIMES (UNFOUNDED)],
[AGGRAVATED ASSAULT] (NFI)

2. UNKNOWN-2598362-0120-2013-CID065-I ; [WAR CRIMES (UNFOUNDED)],
[AGGRAVATED ASSAULT] (NFI)

3. U.S. GOVERNMENT; [FAIL TO OBEY GENERAL ORDER], [CONDUCT
UNBECOMING OFFICER]

INVESTIGATIVE SUMMARY:

This office received a Request For Investigation (RFI) 0048-13-CID001, Tab 3 from 3rd MP

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Group (CID), Hunter Army Airfield, GA 31409, to investigate (b)(6) (b)(7)(C) (b)(3) for allegations of assault to local nationals during his deployment in 2007 in support of Operation Afghanistan Freedom (OAF).

Investigation determined (b)(6) (b)(7)(C) (b)(3) committed the offenses of Aggravated Assault, Fail to Obey a General Order, and Conduct Unbecoming an Officer, when while on patrol in the Arghendab District of Afghanistan; (b)(6) (b)(7)(C) (b)(3) detained two unknown Local Nationals (LN) for questioning. (b)(6) (b)(7)(C) (b)(3) was seen taking one LN behind a wall and striking him several times with a closed fist.

On 18 Jun 14, CPT (b)(6) (b)(7)(C) Brigade Judge Advocate, 3rd Recruiting Brigade, Fort Knox, KY 40121, stated there was probable cause to believe (b)(6) (b)(7)(C) (b)(3) committed the offenses of Aggravated Assault, Fail to Obey a General Order, and Conduct Unbecoming an Officer when he struck an unknown LN with a closed fist.

STATUTES:

Article 128, UCMJ: Aggravated Assault.

Article 92, UCMJ: Failure to Obey a General Order.

Article 133, UCMJ: Conduct Unbecoming an Officer.

ATTACHED:

1. Agent's Investigation Report (AIR) of SA (b)(6) (b)(7)(C) 18 Nov 13.
2. Compact Disc (CD) containing the complete 15-6 investigation, 29 Jul 08. (USACRC and File copy only)
3. AIR of SA (b)(6) (b)(7)(C) 21 Nov 13.
4. Sworn Statement of SGT (b)(6) (b)(7)(C) 20 Nov 13.
5. AIR of SA (b)(6) (b)(7)(C) 3 Dec 13.
6. Sworn Statement of Mr. (b)(6) (b)(7)(C) 2 Dec 13.
7. AIR of SA (b)(6) (b)(7)(C) 5 Dec 13.
8. Sworn Statement of SSG (b)(6) (b)(7)(C) 4 Dec 13.

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9. AIR of SA (b)(6) (b)(7)(C) 17 Dec 13.
10. AIR of SA (b)(6) (b)(7)(C) 21 Jan 14.
11. Rights Waiver and Sworn Statement of CPT (b)(6) (b)(7)(C) 21 Jan 14.
12. AIR of SA (b)(6) (b)(7)(C) 20 Feb 14. (USACRC and file copy only)
13. AIR of SA 20 Mar 14.
14. AIR of SA (b)(6) (b)(7)(C) Apr 14.
15. Sworn Statement of Mr, (b)(6) (b)(7)(C) 1 Apr 14.
16. AIR of SA (b)(6) (b)(7)(C) 8 Apr 14.
17. AIR of SA (b)(6) (b)(7)(C) 2 May 14.
18. AIR of SA (b)(6) (b)(7)(C) 19 Jun 14.

NOT ATTACHED:

None.

The originals of Exhibits 1 and 3 through 18 are retained in the files of this office. The original of Exhibit 2 is retained in the files of Headquarters, 7th Army Joint Multinational Training Command, APO AE 09114-8130.

STATUS: This is a Final Report. Commander's Report of Disciplinary or Administrative Action (DA Form 4833) is pending.

CID Report of Investigation may be subject to a quality assurance review by CID Higher Headquarters.

Report Prepared By:

Report Approved By:

(b)(6) (b)(7)(C)

Special Agent

(b)(6) (b)(7)(C)

Special Agent in Charge

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Commander, 502nd MP BN (CID)

Garrison Commander, Fort McCoy, WI 54656

Commander, Minneapolis Recruiting Battalion, Minneapolis, MN 55111

Chief of Police, Fort McCoy Police Department (e-mail only)

SJA, Fort McCoy Garrison

Office of the Staff Judge Advocate, U.S. Army Recruiting Command, Fort Knox, KY 40121

(CPT (b)(6) (b)(7)(C))

CDR, 3rd Recruiting Command, Bloomington, MN (b)(6) (b)(7)(C) mil@mail.mil)

FILE